HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL No.841 OF 2007

Between:

Patibandla Ramakrishna

. . .Appellant

AND

Government of Andhra Pradesh and others

. . .Respondents

:: JUDGMENT ::

Counsel for the appellant : Shri P.Venugopal
for Shri P.Prabhakara Rao

Counsel for respondent No.1 : Government Pleader for
Municipal Administration

Counsel for respondent No.3 : Shri V.R.Prabhunath Vasi Reddy

8th October, 2007

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PER G.S.SINGHVI, CJ

This is an appeal for setting aside order dated 21.09.2007 passed by the learned Single Judge in Writ Petition No.15679 of 2007.

At the commencement of hearing, we pointed out to Shri P.Venugopal that Shri P.Venkat Rao, who filed affidavit in support of the writ petition was not authorized by the petitioner to institute litigation on his behalf in the matter of his disqualification as a Member of Tenali Municipality and that the assertion contained in para 1 of the affidavit of Shri P.Venkat Rao to the effect that he had engaged the counsel by signing vakalat was false.

Faced with the possible dismissal of the appeal, on the ground of lack of locus to Shri P.Venkat Rao and patently incorrect assertion contained in his affidavit, Shri P.Venugopal came up with the request that he may be permitted to withdraw the appeal and writ petition No.15679 of 2007 with liberty to the petitioner to file fresh case through duly authorized person.

Learned Government Pleader says that he does not have any objection.

Hence, the request of the learned counsel is accepted and this appeal and writ petition No.15679 of 2007 are dismissed with liberty in terms of the prayer made.

G.S.SINGHVI, CJ

8th October, 2007

C.V.NAGARJUNA REDDY, J

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